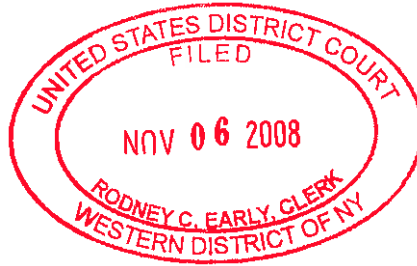


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



-PS-

SWAYNE DARRELL BOWENS, SR.,

Plaintiff,

-v-

SPX PROCESS EQUIPMENT,
LIGHTNIN OPERATIONS,

Defendant.

DECISION AND ORDER
07-CV-6460L (Fe)

Plaintiff has filed a *pro se* complaint under 42 U.S.C. § 2000e and has requested appointment of counsel pursuant to 42 U.S.C. § 2000e-5(f)(1). This Court is required to see that all litigants receive proper representation of counsel under the criteria set forth in Jenkins v. Chemical Bank, 721 F.2d 876 (2d Cir. 1983) and Cooper v. A. Sargenti Co., 877 F.2d 170 (2d Cir. 1989).

Accordingly, the Court assigns Steven V. Modica, Esq. and Scott Ferraro, Esq., of Modica and Associates, 2430 Ridgeway Avenue, Rochester, New York 14626, *pro bono*, to faithfully and diligently represent plaintiff in this case.

The Clerk of the Court is directed to copy that portion of the file in this matter that is not currently available through PACER on the Court's Case Management/Electronic Case Management System and send it to Steven V. Modica, Esq., and Scott Ferraro, together with a copy of this order and the Guidelines Governing Reimbursement from the District Court Fund of Expenses Incurred by

Court Appointed Counsel.¹ The Chief Judge of the Court will also issue an Order directing PACER to waive its fees so pro bono counsel can access and print at no cost to him or his firm any other documents filed herein that he may need. Plaintiff's attorney is directed to contact the Court by **December 11, 2008** to request a date for a status conference to discuss further proceedings in the case.

IT IS SO ORDERED.



JONATHAN W. FELDMAN
UNITED STATES MAGISTRATE JUDGE

Dated: 11/5, 2008
Rochester, New York

¹This information and the forms are also available on the Court's web site at the Attorney Information link from the home page located at: <http://www.nywd.uscourts.gov/document/fundreimbvoweb.pdf>.